

BILL NO. S-71-12- 08

SPECIAL ORDINANCE NO. S- 768-71

AN ORDINANCE approving Resolution of Board of  
Public Works in connection with contract with  
NATIONAL SERV-ALL.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That Board of Public Works Resolution No.  
57-309-1 adopted December 8, 1971, with respect to NATIONAL SERV-  
ALL, and which Resolution is as follows:

"WHEREAS, the Board of Public Works entered into a contract with National Serv-All for the collecting, transportation and disposal of trash and garbage (solid waste) in the City of Fort Wayne, which contract was entered into on the 6th day of October, 1970; and,

WHEREAS, said contract placed a limitation on the position of garbage and trash to be collected, and said contract further provided that the contract was entered into under the circumstances and conditions existing at the time of execution, and that if either party should determine that conditions or circumstances affecting any of the terms, conditions, or promises had changed, the parties should negotiate and modify the contract; and,

WHEREAS, about March, 1971, National Serv-All, Inc. notified the Board of Public Works that certain conditions regarding wages had not correctly been assumed; and certain provisions regarding the placing of trash and garbage, particularly with regard to the distance from street and alley of placement were not practical; and,

WHEREAS, a sampling survey indicates 74% of homes with alley pickup locations, 50% of homes with curb pickup locations, and approximately 80% of apartment complexes are placing their trash and garbage at distances greater than allowed in present specifications,

WHEREAS, National Serv-All, Inc. is providing service to those locations in violation as set forth above,

WHEREAS, the Board of Public Works desired to continue

the service, though not conforming to the contract stipulation which required additional time and labor on the part of National Serv-All, Inc. and requested additional study and information in order to make changes both in specifications and in the payments to be made;

NOW, THEREFORE, BE IT RESOLVED that the specifications be changed to provide that in apartment complexes to provide for the pick up of garbage, trash and rubbish located within 25 feet of the truck drive-up position from the present 10 feet; that in other than apartment complexes, the permitted distance of placement be changed from 5 feet to 12 feet from curb or alley. Exact changes in specifications are as submitted. That as compensation for the services in picking up the containers from greater distances, as requested after the reorganization of the difficulties resulting from the greater distance required by the actual facts, as shown by the study over the distances provided in the specifications, with resulting increases in the cost of labor, the contractor National Serv-All, Inc. be granted additional compensation in the amount of \$48,730.00 for the year 1971; and that said amount be added to the base price for succeeding contract years, subject to the approval of the Common Council of the City of Fort Wayne."

is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

  
Councilman

  
APPROVED AS TO FORM  
AND LEGALITY  
CITY ATTORNEY

Read the first time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, read the second time by title and referred to the (Committee on) \_\_\_\_\_ (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 12-14-71

Frank S. Borachom  
City Clerk

Read the third time in full and on motion by Nuckols seconded by Shake and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

AYES 8, NAYS 0, ABSTAINED \_\_\_\_\_, ABSENT \_\_\_\_\_ to-wit:

Adams	_____	_____	_____
Dunifon	<u>✓</u>	_____	_____
Fay	<u>✓</u>	_____	_____
Geake	<u>✓</u>	_____	_____
Nuckols	<u>✓</u>	_____	_____
<u>Borachom</u>	<u>✓</u>	_____	_____
<u>Schmitt</u>	<u>✓</u>	_____	_____
Steigerwald	<u>✓</u>	_____	_____
Tipton	<u>✓</u>	_____	_____

Date 12-14-71

Frank S. Borachom  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. S-768-71

on the 14<sup>th</sup> day of December, 19 71.

ATTEST: (SEAL)

Frank S. Borachom City Clerk Will H. Hummel Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15<sup>th</sup> day of December, 19 71 at the hour of 8:30 o'clock 17 .M., E.S.T.

Frank S. Borachom  
City Clerk

Approved and signed by me this 17<sup>th</sup> day of December, 19 71, at the hour of 2:44 o'clock P .M., E.S.T.

Harold S. Zeis  
Mayor

Read the first time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, read the second time by title and referred to the (Committee on) \_\_\_\_\_ (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 8-71-12-28 Ruler suspended  
City Clerk

Read the third time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES 8, NAYS 0, ABSTAINED \_\_\_\_\_, ABSENT \_\_\_\_\_ to-wit:

Adams	_____	_____	_____	_____
Dunifon	<input checked="" type="checkbox"/>	_____	_____	_____
Fay	<input checked="" type="checkbox"/>	_____	_____	_____
Geake	<input checked="" type="checkbox"/>	_____	_____	_____
Nuckols	<input checked="" type="checkbox"/>	_____	_____	_____
<del>Robinson</del>	<input checked="" type="checkbox"/>	_____	_____	_____
Rousseau	<input checked="" type="checkbox"/>	_____	_____	_____
Steigerwald	<input checked="" type="checkbox"/>	_____	_____	_____
Tipton	<input checked="" type="checkbox"/>	_____	_____	_____

Date \_\_\_\_\_ City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map)(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_ M., E.S.T.

\_\_\_\_\_  
City Clerk

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_ M., E.S.T.

\_\_\_\_\_  
Mayor